

Hall of the House of Representatives
94th General Assembly - Regular Session, 2023
Amendment Form

Subtitle of House Bill No. 1041

TO AUTHORIZE LOCAL OFFICIALS TO PROVIDE FOR THE OPERATION OF ALL-TERRAIN VEHICLES
ON DESIGNATED PUBLIC STREETS AND HIGHWAYS.

Amendment No. 1 to House Bill 1041

Amend House Bill No. 1041 as originally introduced:

Add Representatives Bentley, M. Berry, Maddox, Steimel as cosponsors of the bill

AND

Add Senators Crowell, J. Dotson, J. Payton as cosponsors of the bill

AND

Delete Section 1 in its entirety

AND

Page 1, delete lines 29 through 31, and substitute the following:

"SECTION 1. Arkansas Code § 27-21-102(1) and (2), concerning the definitions of "all-terrain vehicle" and "nonhighway tire", are amended to read as follows:

(1)(A) "All-terrain vehicle" means a self-propelled vehicle that primarily manufactured for recreational off-highway all-terrain use, including without limitation:

(i) ~~Has three (3), four (4), or six (6) wheels~~ Dirt bikes;

(ii) ~~Is fifty inches (50") or less in width~~ Utility-task vehicles;

(iii) ~~Is equipped with nonhighway tires~~ Recreational off-highway vehicles;

(iv) ~~Is designed primarily for off-road recreational use~~ Multipurpose off-highway utility task vehicles; and

(v) ~~Has an engine displacement of no more than one thousand cubic centimeters (1,000 cc)~~ Any other means of land transportation deriving motive power from any source other than muscle.



~~(B) "All-terrain vehicle" includes a recreational off-highway vehicle.~~

~~(C) "All-terrain vehicle" does not include a golf cart, riding lawnmower, or lawn or garden tractor;~~

~~(2) "Nonhighway tire" means a pneumatic tire:~~

~~(A) Six inches (6") or more in width;~~

~~(B) Designed for use on a wheel with a rim diameter of fourteen inches (14") or less; and~~

~~(C) That uses an operating pressure of twenty pounds per square inch (20 psi) or less as recommended by the vehicle manufacturer;~~

SECTION 2. Arkansas Code § 27-21-102(4), concerning the definition of "recreational off-highway vehicle", is repealed.

~~(4)(A) "Recreational off-highway vehicle" means a vehicle that:~~

~~(i) Has four (4) or six (6) wheels;~~

~~(ii) Is seventy-five inches (75") or less in width;~~

~~(iii) Is equipped with nonhighway tires;~~

~~(iv) Is designed primarily for off-road recreational use; and~~

~~(v) Has an engine displacement of no more than one thousand cubic centimeters (1,000 cc).~~

~~(B) "Recreational off-highway vehicle" includes a:~~

~~(i) Multipurpose off-highway utility vehicle; and~~

~~(ii) Utility task vehicle.~~

~~(C) "Recreational off-highway vehicle" does not include a golf cart, riding lawnmower, or lawn or garden tractor.~~

SECTION 3. Arkansas Code § 27-21-102, concerning definitions applicable to all-terrain vehicles, is amended to add an additional subdivision to read as follows:"

AND

Page 1, line 35, delete "3" and substitute "4"

AND

Page 2, line 6, delete "4" and substitute "5"

AND

Page 2, line 12, delete "5" and substitute "6"

AND

Page 2, delete line 18, and substitute the following:

"27-21-112. Operation requirements and rules of the road."

AND

Page 2, delete lines 21 and 22, and substitute the following:

"under § 27-21-106(c) shall:

(1) Possess a valid driver's license, instruction permit, or intermediate driver's license;

(2) Carry proof of insurance covering the all-terrain vehicle as required under the Motor Vehicle Safety Responsibility Act, § 27-19-101 et. seq., and § 27-22-101 et seq.;

(3) Ensure that the all-terrain vehicle is equipped with properly functioning headlamps, tail lamps, and break lights; and

(4) Comply with the rules of the road as provided under § 27-51-101 et seq."

The Amendment was read _____

By: Representative Gonzales
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DTP076

Chief Clerk